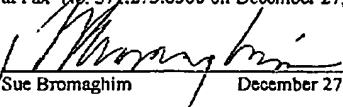


DEC 27 2006

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|---|-------------------|
| <u>CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8</u>   |                   |
| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at Fax No. 571.273.8300 on December 27, 2006. |                   |
|    |                   |
| Sue Bromaghin   | December 27, 2006 |

Attorney Docket No. 10002-701.407

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mark A. Reiley

Application No. 10/658,449

Filing Date: September 9, 2003

Title: Facet Arthroplasty Devices and Methods

Group Art Unit: 3738

Examiner: David J. Isabella

Confirmation No. 5178

CUSTOMER NO. 66854

AMENDMENT IN RESPONSE TO OFFICE ACTION

MailStop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Office Action dated August 28, 2006, to which a reply is due November 28, 2006. An appropriate request for extension of time accompanies this document.

Prior to reconsidering this application on the merits, please amend the application as follows:

The Claim Listing begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Attorney Docket 10002-701.407

- 1 of 7 -